

(b) searching music data corresponding to the desired music from a plurality of the music data stored in a storage device in accordance with the music data identification information;

(c) determining one quality or a plurality of qualities of music data that can be used by the external device for the searched music data in accordance with the terminal identification information;

(d) transmitting information regarding to the determined quality or qualities of the searched music data to the external device;

(e) receiving selection information regarding to selection of the quality from the determined quality or qualities of the searched music data from the external device;

(f) converting the searched music data to music data having the selected quality in accordance with the received selection information; and

(g) transmitting the converted music data having the selected quality to the external device.

REMARKS

Claims 1 through 12 have now been cancelled. The nine newly added claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Isozaki discloses that a receiver designates a compression format of music data to be distributed at a time of requesting the music data (S22 in FIG. 12).

Nakatsuyama discloses that a receiver transmits data designation information and data quality designation information, and a transmitter reads out the designated data, converts the read data in accordance with the data quality designation information and transmits the converted data to the receiver.

However, both cited references fail to disclose the feature of the present invention, that is, the music data distribution apparatus (transmitter) receives a music data distribution request and terminal identification information, determines one quality or a plurality of qualities of music data in accordance with the terminal identification information, and transmits information regarding to the determined quality or qualities of the music data. Therefore, the present invention is patentable over the cited references.

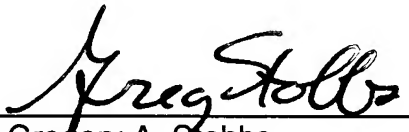
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Dec 16, 2004

By: 
Gregory A. Stobbs
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GAS:djq